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*Proposed Lead Counsel and Counsel for Plaintiff  
State-Boston Retirement System and Norfolk County  
Retirement System*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE: LUMINENT MORTGAGE  
CAPITAL, INC., SECURITIES LITIGATION)

Civil Action No.: 3:07-CV-04073-PJH

CLASS ACTION

**[PROPOSED] ORDER FOR  
CONSOLIDATION, APPOINTMENT OF  
STATE-BOSTON RETIREMENT  
SYSTEM AND NORFOLK COUNTY  
RETIREMENT SYSTEM AS LEAD  
PLAINTIFF, AND APPROVAL OF  
SELECTION OF LEAD COUNSEL**

Hearing

Date: Nov. 21, 2007

Time: 9:00 a.m.

Courtroom: 3

Judge: Hon. Phyllis J. Hamilton

1 Having considered the motion of State-Boston Retirement System and Norfolk County  
 2 Retirement System (“Boston and Norfolk”) for consolidation of the related actions, to be  
 3 appointed Lead Plaintiff, and for approval of Lead Plaintiff’s selection of Lead Counsel, the  
 4 Memorandum of Points and Authorities in support thereof, the Declaration of Alan I. Ellman in  
 5 support of that motion, and good cause appearing therefore,

6 IT IS HEREBY ORDERED THAT:

- 7 1. The motion of Boston and Norfolk is granted.
- 8 2. The above-captioned actions are consolidated for all purposes (the “Consolidated  
 9 Action”). This Order (the “Order”) shall apply to the Consolidated Action and to each case that  
 10 relates to the same subject matter that is subsequently filed in this Court or is transferred to this  
 11 Court and is consolidated with the Consolidated Action.
- 12 3. A Master File is established for this proceeding. The Master File shall be Civil  
 13 Action No. 3:07-cv-04073-PJH. The Clerk shall file all pleadings in the Master File and note  
 14 such filings on the Master Docket.
- 15 4. An original of this Order shall be filed by the Clerk in the Master File.
- 16 5. The Clerk shall mail a copy of this Order to counsel of record in the Action.
- 17 6. Every pleading in the Consolidated Action shall have the following caption:

18 19 IN RE LUMINENT MORTGAGE 20 CAPITAL, INC. SECURITIES LITIGATION	) ) ) )	Civil Action No. 3:07-CV-04073-PJH
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21 7. The Court requests the assistance of counsel in calling to the attention of the Clerk  
 22 of this Court the filing or transfer of any case that might properly be consolidated as part of the  
 23 Consolidated Action.

24 8. When a case that arises out of the same subject matter of the Consolidated Action  
 25 is hereinafter filed in this Court or transferred from another Court, the Clerk of this Court shall:

- 26 (a) File a copy of this Order in the separate file for such action;
- 27
- 28

1 (b) Mail a copy of this Order to the attorneys for the plaintiff(s) in the newly  
2 filed or transferred case and to any new defendant(s) in the newly-filed case; and

3 (c) Make the appropriate entry in the Master Docket for the Consolidated  
4 Action.

5 9. Each new case that arises out of the subject matter of the Consolidated Action  
6 which is filed in this Court or transferred to this Court, shall be consolidated with the  
7 Consolidated Action, and this Order shall apply thereto, unless a party objects to consolidation,  
8 as provided for herein, or any provision of this Order, within ten (10) days after the date upon  
9 which a copy of this Order is served on counsel for such party, by filing an application for relief,  
10 and this Court deems it appropriate to grant such application. Nothing in the forgoing shall be  
11 construed as a waiver of the defendants' right to object to consolidation of any subsequently filed  
12 or transferred related action.

13 10. Boston and Norfolk are appointed to serve as Lead Plaintiff in the above-  
14 captioned Consolidated Action pursuant to 15 U.S.C. § 78u-4(a)(3)(B).

15 11. The law firm of Labaton Sucharow LLP is hereby approved as Lead Counsel for  
16 the Class. Lead Counsel shall have the authority to speak for all plaintiffs and class members in  
17 all matters regarding the litigation including, but not limited to, pre-trial proceedings, motion  
18 practice, trial and settlement.

19  
20 IT IS SO ORDERED.

21 This \_\_\_\_ day of \_\_\_\_\_, 2007  
22  
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24 \_\_\_\_\_  
United States District Judge  
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